

LEVI & KORSINSKY, LLP

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TESLA, INC. SECURITIES
LITIGATION

Case No. 3:18-cv-04865-EMC

**STIPULATION AND [PROPOSED] ORDER
REGARDING MOTIONS, THE SUBMISSION
OF THE PARTIES' JOINT PRETRIAL
CONFERENCE STATEMENT AND PRETRIAL
MATERIALS**

Pursuant to Civil Local Rule 6-2, Lead Plaintiff Glen Littleton ("Lead Plaintiff") and Defendants Tesla, Inc., Elon R. Musk, Brad W. Buss, Robyn Denholm, Ira Ehrenpreis, Antonio J. Gracias, James Murdoch, Kimbal Musk, and Linda Johnson Rice (collectively, "Defendants") (collectively, Lead Plaintiff and Defendants are referred to as the "Parties"), by and through their undersigned counsel of record, submit the following stipulation and proposed order:

WHEREAS, on May 31, 2020, the Court entered a Case Management and Pretrial Order for Jury Trial ("Pretrial Order") setting the litigation deadlines for this case (Dkt. No. 261);

WHEREAS, on April 12, 2022, the Parties submitted a Stipulation and Proposed Order regarding the submission of their joint pretrial conference statement and pretrial materials (Dkt. No. 391);

WHEREAS, on April 12, 2022, the Court reviewed the Parties' Stipulation and Proposed Order regarding the submission of their joint pretrial conference statement and pretrial materials and directed the parties to be prepared to discuss a new trial date at the April 15, 2022 status conference (Dkt. No. 393);

WHEREAS, on April 13, 2022, the Court postponed the April 15, 2022 status conference to April 18, 2022 (Dkt. No. 394);

WHEREAS, on April 18, 2022, the Court held a status conference, continuing the pre-trial conference and trial date to December 12, 2022, and January 17, 2023, respectively;

WHEREAS, at the April 18, 2022 status conference, the Court directed the Parties to stipulate to a new schedule regarding motions and pre-trial deadlines;

WHEREAS, at the April 18, 2022 status conference, Defendants requested that the Court hear "early" motions *in limine*, the determination of which could impact the parties' trial strategy and preparation, in advance of the Court's standard pre-trial filing schedule;

WHEREAS, the Parties acknowledge that Judge Chen's Civil Pretrial Instructions state that each party or side should not need to file more than five motions in limine and this should include any early motions *in limine*;

WHEREAS, the Parties believe that any such early motions *in limine* and oppositions should be limited to 10 pages, and replies to 5 pages;

WHEREAS, the Parties believe that each party should file no more than three "early" motions *in limine*;

NOW, THEREFORE, the Parties hereby jointly request that the Court enter an order establishing the following deadlines in this case, or alternatively to schedule a hearing to discuss same:

EVENT	PROPOSED SCHEDULE
Early Motions <i>in Limine</i> exchanged (10 pages)	June 16, 2022
Status Conference [to discuss ADR]	July 19, 2022
Oppositions to Early Motions <i>in Limine</i> exchanged (10 pages)	July 21, 2022

1	Replies in support of Early Motions <i>in Limine</i> exchanged (5 pages) and all motions filed	August 11, 2022
2	Hearing on Motions <i>in Limine</i>	August 25, 2022
3	Meet and confer	October 31, 2022
4	[to discuss preparation and content of the joint pretrial statement, preparation and exchange of pretrial materials, and settlement of the action]	(42 days prior to the final pretrial conference)
5	Serve remaining Motions in Limine	November 4, 2022
6	Serve oppositions to remaining Motions in Limine	November 18, 2022
7	File Joint pretrial conference statement, and pretrial materials	November 21, 2022
8		(21 days prior to the pretrial conference)
9	Final Pretrial Conference	December 12, 2022
10	Trial	January 17, 2023

11 DATED: April 29, 2022

LEVI & KORSINSKY, LLP

12 By: /s/ Adam M. Apton

Adam M. Apton

Attorneys for Lead Plaintiff Glen Littleton and Lead Counsel for the Class

15 DATED: April 29, 2022

QUINN EMANUEL URQUHART & SULLIVAN, LLP

17 By: /s/ Alex Spiro

Alex Spiro (*appearing pro hac vice*)

Attorneys for Tesla, Inc., Elon Musk, Brad W. Buss,

Robyn Denholm, Ira Ehrenpreis, Antonio J. Gracias,

James Murdoch, Kimbal Musk, And Linda Johnson Rice

21 **IT IS SO ORDERED.**

23 Dated: _____

24 HON. EDWARD M. CHEN

United States District Judge

ATTESTATION

I, Adam M. Apton, am the ECF user whose ID and password are being used to file the above document. In compliance with Local Rule 5-1(h)(3), I hereby attest that Alex Spiro and I have concurred in the filing of the above document.

/s/ Adam M. Apton

Adam M. Apton